
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

ALICIA ROHBOCK; RUBY JESSOP;
SUSAN BROADBENT; GINA
ROHBOCK; NOLAN BARLOW; JASON
BLACK; MAY MUSSER; HOLLY
BISTLINE; LAWRENCE BARLOW;
STEVEN DOCKSTADER; MARVIN
COOKE; HELEN BARLOW; VERGEL
BARLOW; CAROLE JESSOP; BRIELL
LIBERTAE DECKER, fka LYNETTE
WARNER; AMY NIELSON; SARAH
ALLRED; THOMAS JEFFS; and
JANETTA JESSOP,

Plaintiffs,

v.

WARREN STEED JEFFS, RODNEY R.
PARKER; SNOW CHRISTENSEN &
MARTINEAU, P.C.; DAVID SLAGLE;
JOHN R. LUND; MAX WHEELER;
DAVID SLAUGHTER; ANDREW
MORSE; RICHARD VAN WAGONER;
FREDERICK GEDICKS; JOHN GATES;
and John Does I through X,

Defendants.

MEMORANDUM DECISION AND
ORDER

Case No. 2:16-CV-788 TS

District Judge Ted Stewart

This matter is set for a jury trial to begin on September 26, 2022. Warren Steed Jeffs, the sole remaining defendant, is in default leaving only the issue of damages. Under such circumstances, Plaintiffs have no statutory or constitutional right to a jury trial.¹ Rather, the

¹ *Olcott v. Del. Flood Co.*, 327 F.3d 1115, 1124 (10th Cir. 2003); *see also Dierschke v. O'Cheskey*, 975 F.2d 181, 185 (5th Cir.1992) (“[I]n a default case neither the plaintiff nor the defendant has a constitutional right to a jury trial on the issue of damages.”); *Adriana Int’l Corp. v. Thoenen*, 913 F.2d 1406, 1414 (9th Cir. 1990).

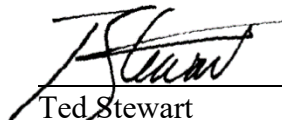
Court may conduct a hearing to determine the amount of damages.² The Court finds that it is not in the interests of justice to conduct a jury trial on damages in this case. It is therefore

ORDERED that the trial date is STRICKEN. It is further

ORDERED that Plaintiffs submit a proffer of their alleged damages by September 12, 2022. Upon review of that proffer, the Court will determine whether to use the September 26, 2022 date for a hearing under Rule 55(b)(2).

DATED this 24th day of August, 2022.

BY THE COURT:



Ted Stewart
United States District Judge

² Fed. R. Civ. P. 55(b)(2)(B).